

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

RONDA MCGOWAN, Personal
Representative for the Estate of Brian
Babb, **LEE BABB, CONNOR BABB**,
by and through his Guardian Ad Litem,
STEPHANIE WOODCOCK, and
KAYLEE BABB,

Plaintiffs,

Case No. 6:17-cv-00424-MC

Exhibit A
to Defendants' Response
to Plaintiffs' Objections
To Lay Witnesses

vs.

WILL STUTESMAN, OFFICER GROSE,
OFFICER PIESKE, SGT. MCALPINE,
CITY OF EUGENE, a municipal subdivision
of the State of Oregon, **JANE DOE CALL**
TAKER, and John and Jane Does 1-10,

Defendants.

Tuesday, February 4, 2020 at 12:49:12 Pacific Standard Time

Subject: Dr. Davis
Date: Sunday, August 25, 2019 at 10:57:52 AM Pacific Daylight Time
From: Robert Franz jr.
To: Carlton Odim, Amanda Yarusso, Andrew M. Stroth, Tim Volpert
Attachments: Oregon Medical Examiner Report.pdf

Carlton. I am planning on calling Dr. Davis as a witness in this case. I imagine that you too will be calling him as a witness. As you know, Dr. Davis did the autopsy of Mr. Babb. In talking to Dr. Davis, he told me that he will accept a subpoena from either side in this case to testify, and that he will not be charging an expert witness fee because it was part of his job to do the autopsy and prepare his autopsy report. Based upon that, it would be my position that neither one of us has to do an expert disclosure for Dr. Davis. If you disagree, let me know. Here is a copy of his report that was provided to Ms. Hollaway, which the Plaintiffs then produced to us.

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing EXHIBIT A TO RESPONSE TO PLAINTIFFS' OBJECTIONS TO LAY WITNESSES BY DEFENDANTS on Plaintiffs on Tuesday, February 4, 2020, by notice of electronic filing using the CM/ECF System:

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